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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 O.Z. MARTIN,

11 Plaintiff,

Case No. 2:04-cv-02360 ALA (P)

12 vs.

13 JAMES E. TILTON, et al.,

14 Defendants.

REVISED SCHEDULING ORDER

15 _____/
16 The Court's Order on July 21, 2008 (Doc. No. 104) is VACATED.

17 Before this Court is Plaintiff's request for an extension of time to file an opposition to the
18 motion for summary judgment (Doc. No. 101), Plaintiff's motion to vacate the scheduling order
19 (Doc. No. 102), and Defendant's Statement of Non-Opposition (Doc. No. 103). Good cause
20 appearing, it is hereby ORDERED that Plaintiff's requests are GRANTED. Plaintiff shall file
21 his opposition to the motion for summary judgment by September 8, 2008. Defendants shall file
22 a reply by September 17, 2008.

23 Because the parties' requests to extend the time to file dispositive motions have been
24 granted, the September 30, 2008, trial date is vacated. The Court will, by this order, set the
25 following revised scheduling order.

26 Accordingly, good cause appearing, it is hereby ORDERED as follows:

1 1) This Court's July 21, 2008 order (Doc. No. 104) is VACATED.

2 2) Plaintiff's request for an extension of time to file an opposition to the motion for
3 summary judgment is GRANTED. (Doc. No. 101) Plaintiff is ordered to file his opposition to
4 the motion for summary judgment on or before September 8, 2008. Defendants are ordered to
5 file their reply on or before September 17, 2008.

6 3) Plaintiff's motion to vacate the scheduling order is GRANTED. (Doc. No. 102). This
7 Court's revised scheduling order (Doc. No. 87) is VACATED.

8 5) Plaintiff shall file and serve his pretrial statement and any motions necessary to obtain
9 the attendance of witnesses at trial on or before August 28, 2008. Defendant shall file a
10 pretrial statement on or before September 8, 2008. The motions shall be briefed in accordance
11 with the order filed on March 4, 2008 (Doc. 75). The parties are advised that failure to file
12 a pretrial statement may result in the imposition of sanctions, including dismissal of this
13 action.

14 6) Pretrial conference (as described in Local Rule 16-282) is set in this case for
15 September 11, 2008. The pretrial conference shall be conducted on the file only, without
16 appearance by either party.

17 7) The September 30, 2008 trial date shall be VACATED. This matter is set for jury
18 trial before the Honorable Arthur L. Alarcón on October 28, 2008, at 9:00 a.m. in a courtroom to
19 be determined.

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21 DATED: July 22, 2008

22 /s/ Arthur L. Alarcón

23 UNITED STATES CIRCUIT JUDGE
24 Sitting by Designation
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